

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

ROBERT SOKOLOVE, ET AL.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Civil Action No. 05-514-KAJ
	)	
CITY OF REHOBOTH BEACH,	)	
DELAWARE, ET AL.,	)	
	)	
Defendants.	)	

**PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT**

Pursuant to Rule 56 of the Federal Rules of Civil Procedures, plaintiffs Robert Sokolove, David McCarthy, William Shields and Citizens for Rehoboth Beach hereby move for partial summary judgment on the issues of whether defendants City of Rehoboth Beach, Delaware ("City") and Gregory Ferrese have applied City Ordinance § 74-16 ("Ordinance") in an unconstitutional manner.

Plaintiffs seek a judgment declaring that: (i) defendants violated plaintiffs' constitutional rights by selectively enforcing the Ordinance during the City's 2005 municipal election, (ii) defendants' selective enforcement of the Ordinance has continued subsequent to the election, and (iii) defendants' continued selective enforcement must be permanently enjoined.

The grounds for plaintiff's motion are set forth in Plaintiff's Opening Brief In Support Of Their Motion For Partial Summary Judgment filed contemporaneously herewith.

**CERTIFICATE OF SERVICE**

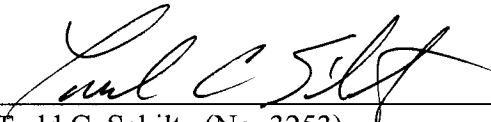
I, Todd C. Schiltz, hereby certify that on October 18, 2005, a copy of the attached Motion for Partial Summary Judgment was served upon the following counsel of record:

**BY HAND-DELIVERY**

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Todd C. Schiltz (No. 3253)

DATED: October 18, 2005